

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DANIEL BANKEN,

Plaintiff(s),

v.

DANIEL P. DRISCOLL,

Defendant(s).

CASE NO. C24-06071-KKE

ORDER STRIKING FILINGS AND  
DIRECTING THE PARTIES TO COMPLY  
WITH COURT ORDERS

On July 3, 2025, the Court terminated several motions filed by Plaintiff Daniel Banken, who is representing himself in this lawsuit against the Secretary of the United States Army. *See* Dkt. No. 73. The Court noted that Banken's motions were premature given the procedural posture of the case: the Court had not yet set a case schedule nor had Banken met and conferred with opposing counsel before filing his motions. *Id.* The Court instructed the parties to comply with early case deadlines and provided that after the parties meet and file a joint status report (which is due on August 18, 2025), the Court will issue a case schedule, and *after that time*, Banken could re-file any of the terminated motions. *Id.* The Court cautioned that it would strike any new motions filed before a case schedule is issued. *Id.*

On July 15, 2025, Banken filed a status report that does not satisfy the requirements of the joint status report under Federal Rule of Civil Procedure 26(f). *See* Dkt. No. 76. Specifically, it is not jointly filed and does not address the topics that the Court ordered the parties to address in

1 a joint status report. *See* Dkt. No. 75. Nonetheless, Banken filed a notice of intent to reinstate the  
2 previously terminated motions on July 16, 2025, and since then has filed several other notices  
3 requesting Court action. *See* Dkt. Nos. 77, 80, 81, 82, 83, 84, 85.

4 As Defendant has noted (Dkt. No. 78), Banken's filings from July 15 forward do not  
5 comply with the Court's instructions and therefore will not be considered. The parties are  
6 instructed to comply with the Court's early case deadlines. *See* Dkt. No. 75. Only after the parties  
7 file a joint status report consistent with that order, *and* the Court issues a case schedule based on  
8 that report, may Banken reinstate any previously terminated motions or file new motions. The  
9 Court will not consider any filings inconsistent with this instruction, and the Court may impose  
10 monetary sanctions upon Banken if he continues to disregard the Court's instructions.

11 Dated this 13th day of August, 2025.

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14 Kymberly K. Evanson  
United States District Judge  
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